

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.03.2017

CORAM

THE HONOURABLE MR. JUSTICE S.NAGAMUTHU
and
THE HONOURABLE DR.JUSTICE ANITA SUMANTH

H.C.P No.2416 of 2016

Ujwala

...Petitioner

Vs

1. The Commissioner of Police,
Chennai

2. The Inspector of Police,
S-15, Selaiyur Police Sttion,
Selaiyur, Chennai – 600 073

. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a Writ, order or Direction in the nature of a Writ of Habeas Corpus directing the respondents to produce the petitioner's husband Rakesh Kumar, aged about 40 years before this Court physically by issuing Writ of Habeas Corpus.

For Petitioner : Mr.Ramesh Kumar Chopra

For respondents : Mr.V.M.R. Rajendran
Addl. Public Prosecutor

ORDER

(Order of the Court was made by **S. NAGAMUTHU,J.,**)

The petitioner is the wife of one Rakesh Kumar, aged about 40 years. According to the petitioner, he has been found missing from 07.10.2016 onwards and on a complaint made in this regard, a case has been registered in Cr.No.2216 of 2016 on 08.10.2016. But, Rakesh Kumar has not been secured. Therefore, the petitioner has come up with this petition.

2. The learned Additional Public Prosecutor, on instructions, submitted that Mr.Rakesh Kumar has borrowed loans from various persons. Since the creditors pressured upon him, he has escaped and was hiding somewhere and efforts are being taken to secure him. He further submitted that investigation is in progress.

3. From the above submission, we are convinced that there is no illegal detention. Therefore, the relief sought for by the petitioner cannot be granted. Hence, the Habeas Corpus Petition is dismissed.

However, it is made clear that the second respondent shall expedite the investigation.

(S.N.J.,) (A.S.M.J.,)
21-03-2017

Speaking Order/non-speaking order

Index : Yes/no

Internet : Yes/no

sr

To

1. The Commissioner of Police,
Chennai
2. The Inspector of Police,
S-15, Selaiyur Police Sttion,
Selaiyur, Chennai – 600 073
3. The Public Prosecutor, High Court, Chennai

S.NAGAMUTHU,J.
And
ANITA SUMANTH,J.,

sr

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